

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

IN RE: TAASERA LICENSING LLC,  
PATENT LITIGATION

CIVIL ACTION NO. 2:22-MD-03042-JRG

THIS DOCUMENT RELATES TO ALL  
CASES

**JURY TRIAL DEMANDED**

**JOINT CLAIM CONSTRUCTION CHART UNDER P.R. 4-5(d)**

Pursuant to Local Patent Rule 4-5(d) Plaintiff Taasera Licensing LLC and Defendants Check Point Software Technologies Ltd. (“Check Point”), Trend Micro Inc. (“Trend Micro”), Fortinet, Inc. (“Fortinet”), Musarubra US LLC, d/b/a Trellix (“Trellix”), Palo Alto Networks, Inc. (“PAN”), and CrowdStrike, Inc. and CrowdStrike Holdings, Inc (“CrowdStrike”) (collectively “Defendants”) jointly submit this Joint Claim Construction Chart containing the agreed and disputed claim terms, phrases, or clauses of U.S. Patent Nos. 6,842,796 (“the ’796 Patent”); 7,673,137 (“the ’137 Patent”); 8,127,356 (“the ’356 Patent”); 8,327,441 (“the ’441 Patent”); 8,819,419 (“the ’419 Patent”); 8,850,517 (“the ’517 Patent”); 8,955,038 (“the ’038 Patent”); 8,990,948 (“the ’948 Patent”); 9,071,518 (“the ’518 Patent”); 9,092,616 (“the ’616 Patent”); 9,118,634 (“the ’634 Patent”); 9,608,997 (“the ’997 Patent”); 9,628,453 (“the ’453 Patent”); 9,860,251 (“the ’251 Patent”); and 9,923,918 (“the ’918 Patent”) (collectively the “Patents-in-Suit”). A chart with constructions for each of the claim terms to which the parties have agreed and disputed is attached herewith as **Exhibit A**, listing the complete language of claims with terms in bold type and separate columns for each party’s proposed construction of each term, pursuant to P.R. 4-5(d).

Dated: September 1, 2023

Respectfully submitted,

/s/ Alfred R. Fabricant

Alfred R. Fabricant  
NY Bar No. 2219392  
Email: ffabricant@fabricantllp.com  
Peter Lambrianakos  
NY Bar No. 2894392  
Email: plambrianakos@fabricantllp.com  
Vincent J. Rubino, III  
NY Bar No. 4557435  
Email: vrubino@fabricantllp.com  
Joseph M. Mercadante  
NY Bar No. 4784930  
Email: jmercadante@fabricantllp.com  
**FABRICANT LLP**  
411 Theodore Fremd Avenue,  
Suite 206 South  
Rye, New York 10580  
Telephone: (212) 257-5797  
Facsimile: (212) 257-5796

Samuel F. Baxter  
Texas State Bar No. 01938000  
sbaxter@mckoolsmith.com  
Jennifer L. Truelove  
Texas State Bar No. 24012906  
Email: jtruelove@mckoolsmith.com  
**MCKOOL SMITH, P.C.**  
104 E. Houston Street, Suite 300  
Marshall, Texas 75670  
Telephone: (903) 923-9000  
Facsimile: (903) 923-9099

***ATTORNEYS FOR PLAINTIFF***  
***TAASERA LICENSING LLC***

/s/ Eric H. Findlay (with permission)

Eric H. Findlay  
efindlay@findlaycraft.com  
State Bar No. 00789886  
Debby E. Gunter  
dgunter@findlaycraft.Com  
State Bar No. 24012752

**FINDLAY CRAFT, P.C.**  
102 North College Avenue, Suite 900  
Tyler, Texas 75702  
Telephone: (903) 534-1100  
Facsimile: (903)-534-1137

Clement S. Roberts  
Email. [croberts@orrick.com](mailto:croberts@orrick.com)  
CA State Bar No. 209203  
Sarah K. Mullins  
[sarahmullins@orrick.com](mailto:sarahmullins@orrick.com)  
**ORRICK, HERRINGTON & SUTCLIFFE LLP**  
405 Howard Street  
San Francisco, CA 94105  
Telephone: (415) 773-5700  
Facsimile: (415) 773-5759

Alyssa Caridis  
[acaridis@orrick.com](mailto:acaridis@orrick.com)  
Gerald Porter  
[gporter@orrick.com](mailto:gporter@orrick.com)  
David Medina  
[dmedina@orrick.com](mailto:dmedina@orrick.com)  
Jake O'Neal (Admitted *Pro Hac Vice*)  
[jake.oneal@orrick.com](mailto:jake.oneal@orrick.com)  
**ORRICK, HERRINGTON & SUTCLIFFE LLP**  
355 S. Grand Ave, Suite 2700  
Los Angeles, CA 90071  
Telephone: (213) 612-2372  
Facsimile: (213) 612-2499

**ATTORNEYS FOR CHECK POINT SOFTWARE  
TECHNOLOGIES LTD.**

/s/ Holly Engelmann (with permission)  
Melissa R. Smith  
State Bar No. 07921800  
[melissa@gillamsmithlaw.com](mailto:melissa@gillamsmithlaw.com)  
**GILLAM & SMITH, LLP**  
303 S. Washington Avenue  
Marshall, Texas 75670  
Telephone: (903) 934-8450  
Facsimile: (903) 934-9257

Holly Engelmann  
State Bar No. 24040865  
HEngelmann@duanemorris.com  
**DUANE MORRIS LLP**  
100 Crescent Court, Suite 1200  
Dallas, Texas 75201  
Telephone: (214) 257-7200  
Fax: (214) 257-7201

D. Stuart Bartow  
**DUANE MORRIS LLP**  
2475 Hanover Street  
Palo Alto, CA 94304  
Telephone: (650) 847-4150  
Facsimile: (650) 618-8505  
dsbartow@duanemorris.com

Gilbert A. Greene  
TX Bar No. 24045976  
W. Andrew Liddell  
TX Bar No. 24070145  
BGreene@duanemorris.com  
WALiddell@duanemorris.com  
**DUANE MORRIS LLP**  
Las Cimas IV  
900 S. Cap. of Texas Hwy, Suite 300  
Austin, TX 78746-5435  
Telephone: 512-277-2300  
Facsimile: 512-277-2301

Brianna M. Vinci  
bvinci@duanemorris.com  
**DUANE MORRIS LLP**  
30 S. 17<sup>th</sup> Street  
Philadelphia, PA 19103  
Telephone: 215-979-1198  
Facsimile: 215-754-4983

***ATTORNEYS FOR TREND MICRO  
INCORPORATED (JAPAN) AND TREND  
MICRO, INC. (U.S.)***

/s/ Irene I. Yang (with permission)

Irene Yang  
irene.yang@sidley.com  
**SIDLEY AUSTIN LLP**  
555 California Street, Suite 2000  
San Francisco, CA 94104  
Telephone: (415) 772-1200  
Facsimile: (415) 772-7400

Andrew T. Langford  
alangford@sidley.com  
**SIDLEY AUSTIN LLP**  
2021 McKinney Ave. Suite 2000  
Dallas, TX 75201  
Telephone: (214) 981-3300  
Facsimile: (415) 981-3400

G. Blake Thompson  
State Bar No. 24042033  
Blake@TheMannFirm.com  
J. Mark Mann  
State Bar No. 12926150  
Mark@TheMannFirm.com  
**MANN | TINDEL | THOMPSON**  
201 E. Howard St.  
Henderson, Texas 75654  
Telephone: (903) 657-8540  
Facsimile: (903) 657-6003

***ATTORNEYS FOR CROWDSTRIKE, INC. and  
CROWDSTRIKE HOLDINGS, INC.***

/s/ David C. Dotson (with permission)

Melissa R. Smith  
State Bar No. 07921800  
melissa@gillamsmithlaw.com  
**GILLAM & SMITH, LLP**  
303 S. Washington Avenue  
Marshall, Texas 75670  
Telephone: (903) 934-8450  
Facsimile: (903) 934-9257

Matthew C. Gaudet  
mcgaudet@duanemorris.com  
David C. Dotson  
dcdotson@duanmorris.com  
Alice Snedeker  
aesnedeker@duanemorris.com  
**DUANE MORRIS LLP**  
1075 Peachtree St NE, Suite 1700  
Atlanta, Georgia 30309  
Telephone: (404) 253-6989

Holly E. Engelmann  
State Bar No. 24040865  
HEngelmann@duanemorris.com  
**DUANE MORRIS LLP**  
100 Crescent Court, Suite 1200  
Dallas, Texas 75201  
Telephone: (214) 257-7200  
Fax: (214) 257-7201

Christopher J. Tyson  
cjtyson@duanemorris.com  
**DUANE MORRIS LLP**  
901 New York Ave NW, Suite 700  
Washington, D.C. 20001  
Telephone: (202) 776-7800  
Fax: (202) 776-7801

***ATTORNEYS FOR FORTINET INC.***

*/s/ William T. Nilsson (with permission)*  
Nathaniel St. Clair, II  
State Bar No. 24071564  
nstclair@jw.com  
Blake T. Dietrich  
Texas State Bar No. 24087420  
bdietrich@jw.com  
Hailey Oestreich  
Texas State Bar No. 24116627  
hoestreich@jw.com  
William T. Nilsson  
Texas State Bar No. 24123350  
wnilsson@jw.com  
**JACKSON WALKER LLP**  
2323 Ross Avenue, Suite 600

Dallas, Texas 75201  
Telephone: (214) 953-5948  
Facsimile: (214) 661-6848

***ATTORNEY FOR MUSARUBRA US LLC,  
d/b/a TRELLIX***

/s/ Michael R. Rueckheim (with permission)

Melissa Richards Smith  
Texas State Bar No. 24001351  
melissa@gillamsmithlaw.com  
**GILLAM & SMITH, LLP**  
303 South Washington Avenue  
Marshall, TX 75670  
Telephone: 903-934-8450  
Facsimile: 903-934-9257

Kelly C. Hunsaker  
KHunsaker@winston.com  
California Bar No. 168307  
Michael R. Rueckheim  
Texas Bar No. 24081129  
MRueckheim@winston.com  
Eimeric Reig-Plessis  
EReigPlessis@winston.com  
California Bar No. 321273  
**WINSTON & STRAWN LLP**  
255 Shoreline Drive, Suite 520  
Redwood City, CA 94065  
Telephone: (650) 858-6500  
Facsimile: (650) 858-6550

***ATTORNEYS FOR PALO ALTO NETWORKS,  
INC.***

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on September 1, 2023, a true and correct copy of the above and foregoing document has been served on all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ *Alfred R. Fabricant*  
Alfred R. Fabricant